

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MAACO ENTERPRISES, INC.</b>	:	<b>CIVIL ACTION NO.: 02-4012</b>
<b>381 Brooks Road</b>	:	
<b>King of Prussia, PA 19406</b>	:	
	:	
<b>vs.</b>	:	
	:	
	:	
<b>ELISA M. CARRERA DEL MORAL and</b>	:	
<b>LA GRAN MAQUINA, INC.</b>	:	
<b>RD #2, Kilometer 165.2</b>	:	
<b>Hormigueros, PR 00660</b>	:	

**PLAINTIFF MAACO ENTERPRISES, INC.'S OPPOSITION  
TO LA GRAN MAQUINA, INC.'S MOTION TO DISMISS**

Because La Gran Maquina, Inc. ("LGMI") is a corporation and a corporation may not appear *pro se* in matters before this Court, plaintiff Maaco Enterprises, Inc. ("Maaco") respectfully requests that the Court disregard the relief requested by LGMI in its Motion to Dismiss. To the extent the Court considers LGMI's Motion to Dismiss, Maaco responds as follows:

1. Denied. It is denied that service of a copy of the Complaint on Julio Carrera, a principal and officer of LGMI, is improper service under Pennsylvania law and the Federal Rules of Civil Procedure.

2. Denied. It is denied that the summons expired. The summons is valid 120 days from its issuance date of June 21, 2002, which ran on October 19, 2002. Because, however, October 19, 2002 was a Saturday, the summons did not lapse until October 21, 2002, the day defendant was served. Fed.R.Civ.P. 6.

3. Denied. It is denied that plaintiff failed to serve defendant LGMI within the 120 day time limit.

WHEREFORE, plaintiff Maaco Enterprises, Inc. respectfully requests that defendant La Gran Maquina, Inc.'s Motion be denied and judgment be entered against defendant in accordance with the relief sought by Maaco, together with such other further relief as the Court may deem proper.

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WIGGIN & DANA LLP  
Joseph Schumacher  
Christina K. Peterson  
Quaker Park  
1001 Hector Street  
Conshohocken, PA 19428  
(610) 834-2400  
Attorneys for Plaintiff Maaco  
Enterprises, Inc.

Dated: January 9, 2003